

BASSETT CREEK WATERSHED MANAGEMENT COMMISSION
RESOLUTION NO. 23-05

RESOLUTION AUTHORIZING EXECUTION OF WAIVER FORM RELATING TO TORT
LIMITS FOR LIABILITY INSURANCE AND NOT WAIVING SUCH TORT LIMITS

WHEREAS, the Bassett Creek Watershed Management Commission (“Commission”) is a joint powers watershed management organization established by the cities of Crystal, Golden Valley, Medicine Lake, Minneapolis, Minnetonka, New Hope, Plymouth, Robbinsdale, and St. Louis Park in accordance with Minnesota Statutes, section 103B.211; and

WHEREAS, the Commission is insured for tort liability matters by the League of Minnesota Cities Insurance Trust (“LMCIT”); and

WHEREAS, as part of its liability insurance coverage with LMCIT, the Commission is required to elect annually whether to waive the statutory tort liability limits stated in Minn. Stat. § 466.04; and

WHEREAS, staff has recommended that the Commission not waive the tort cap limits in order to mitigate the Commission’s tort liability as permitted by law; and

WHEREAS, a decision to not waive the tort cap limits reasonably protects the Commission and limits its potential liability while allowing an individual claimant to recover damages as provided by law.

NOW, THEREFORE, BE IT RESOLVED by the Bassett Creek Watershed Management Commission that the Commission Administrator is authorized to execute the LMCIT Liability Coverage Waiver Form on behalf of the Commission by indicating that the Commission elects not to waive the statutory limitation on tort liability.

Adopted this 18th day of May, 2023.

Chair

ATTEST:

Secretary